

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **November 1, 2022**

TO: Honorable City Council

VIA: Matthew Chidester, City Manager

FROM: John Doughty, Interim Assistant City Manager

TITLE: STUDY SESSION – POPLAR BEACH OFF-LEASH PILOT PROJECT (JIMENEZ)

RECOMMENDATION:

Conduct a study session and consider whether to direct staff to initiate work on developing a pilot project allowing dogs off-leash on a portion of Poplar Beach.

FISCAL IMPACT:

The operating budget of the City Manager’s Office and City Attorney’s Office is sufficient to cover the cost of research and program preparation. Additional resources including signage will be necessary to implement. These costs are anticipated to be less than \$10,000.

STRATEGIC ELEMENT:

This recommendation supports the Healthy Communities and Public Safety Element of the Strategic Plan.

BACKGROUND:

Earlier this year, the City Council agreed to the placement of an item on a future agenda regarding potential establishment of an area at Poplar Beach for dogs to go off-leash. The request was initiated by Council Member Jimenez and supported by the other City Council members. Over the years, residents have informally requested the City consider allowing dogs to go off-leash on Poplar Beach. There has also been a growing interest among equestrian enthusiasts to designate a specific area for off-leash activities in hopes of limiting dog/horse interactions.

The Half Moon Bay Municipal Code requires, as a condition of being allowed on a public street, sidewalk, park, school ground or any public property or upon unenclosed premises within the City to be under the control of the owner by being saddled, harnessed, haltered or leashed by a substantial chain, lead rope or leash, six foot maximum, which shall be held by some competent person capable of controlling such animal. (Section 8.40.040 A.)

In 2020, the City Council adopted an ordinance revising various chapters of the Half Moon Bay Municipal Code related to permissible activities in City parks and beaches. The Municipal Code acknowledges the existing dog park at Smith Field. (Section 9.13.020A.) As part of that action, the City Council revised Chapter 8, Section 8.04.040, subsection F. allowing the City Council to, by resolution, designate additional off-leash areas in parks and on beaches. Enclosed dog park areas within City parks are exempt from leash requirements given they are fully enclosed/controlled areas.

On May 3rd, as part of the annual Beach Action Plan Update, the City Council was asked to consider establishing an off-leash dog area at Poplar Beach. The City Council did not choose to proceed at that time citing a lack of specific details, concerns regarding dog/horse interface and general logistical concerns including enforcement. The May 3rd discussion lacked substantive detail and had not been vetted with the community in advance.

Subsequently, the City Manager discussed concerns regarding horse/dog interactions and means to limit those conflicts with the owner of Sea Horse Ranch (operator of a local horseback riding stable which utilizes Poplar Beach for commercial horseback riding activities). The owner has previously shared her concerns about dog/horse interactions, especially those dogs allowed off-leash at Poplar Beach. Based upon recent discussions with the Sea Horse Ranch owner and other equestrian related beach users, we believe the activities can co-exist and even benefit from designating an off-leash dog area. Limiting the area for leashed dogs would also be viewed as a positive for equestrian users as well.

In 2021, the City partnered with beach volleyball clubs and enthusiasts to create three regulation courts at the north end of Poplar Beach (generally located between the extension of Kelly Avenue and the "Slot Access"). The City approved the courts in 2022 and envisions the activity becoming a permanent seasonal activity at Poplar Beach.

DISCUSSION:

The purpose of this workshop is to accept input from the community and City Council on whether to modify how and where dogs are permitted on Poplar Beach. Many visitors choose to allow their dogs to go "off-leash" on Poplar Beach. As noted above, dogs are required by Municipal Code to be on-leash (and controlled at all times) on Poplar Beach. Unfortunately, there have been incidents involving dogs (on-and off-leash) and horses. These incidents have fortunately not resulted in significant injuries to the persons or animals, but they could have. In addition, not all beach visitors wish to share their experience with horses and/or dogs. While enforcement is an obvious response, the City lacks the resources to actively enforce leash laws on Poplar Beach particularly given the beach is open 24 hours per day, 365 days a year. Further, enforcement does not address the visitor experience policy question.

Some in the community have suggested the creation of an off-leash dog area at Poplar Beach to: 1) legalize the activity; and 2) limit conflicts between off-leash dogs, other visitors and horses. In advance of this item, staff has taken the opportunity to look more closely at Poplar

Beach. One of the other policy questions for the community and City Council to answer is whether to limit on-leash activity at Poplar Beach. The other part of this equation relates to equestrian use of Poplar Beach. Any policy formulation will have to include some limits on where and possibly when equestrian activity occurs on Poplar Beach.

While all community input is critical to the formulation of any policy, staff is particularly interested in receiving initial input on two significant policy questions: 1) the concept of creating an off-leash area; and 2) if yes, whether on-leash dog activities should be limited to certain areas of Poplar Beach. Again, dog/horse conflicts have occurred with both on-and off-leash dogs. There would be no limits on visitor, pedestrian or ocean access within designated areas. It would simply allow beach users to choose how they wish to enjoy Poplar Beach.

For purposes of initiating community discussion, staff has provided two potential options which provide dogs and their owners vertical access to the beach and which would limit dog interactions with equestrians; and segregate the off-leash activities from other beach users. Staff would recommend that any designated areas extend from the base of bluff to the surf zone (Mean High Tide Line). Staff will be prepared to walk the community through the two options as part of the workshop. These by no means represent the only options available.

Despite the provision in the Municipal Code, there remains some question as to the extent of permitting required and who would retain final review/approval authority. If directed to proceed with an off-leash option, staff will conduct the necessary research and consult with district staff of the Coastal Commission.

Conclusion

Designating a portion of Poplar Beach as an off-leash area would legalize what is current practice by many beach users while allowing beach visitors and equestrians to enjoy their time at Poplar Beach absent off-leash dogs (and potentially on-leash dogs).

ATTACHMENTS:

- 1) Chapter 8.04 Half Moon Bay Municipal Code
- 2) Conceptual Options